

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Treasuries and Accounts Department -Sri B.L.Hanumantha Rao, Formerly Accounts Officer, IPPVI,O/o the Director of Family Welfare, AP, Hyderabad and presently Deputy Director on OD with INCAP as General Manager - Disciplinary action against Sri B.L.Hanumantha Rao, Deputy Director - Implementation of orders of the Hon'ble APAT dated 24-06-2009 in O.A.No.929 of 2006 - Orders - Issued..

FINANCE (ADMN.I.VIG.) DEPARTMENT

**G.O.Rt.No.4959
2010**

Dated:03-12-

Read the

following:-

1. G.O.Rt.No.2982 Finance (Admn.I) Department,dt:04-07-2005.
2. O.A.No.929/2006 filed by Sri B.L.Hanumantha Rao, Deputy Director,dt: 24-02-2006.
3. APAT orders in O.A.No.929 of 2006 filed by Sri B.L.Hanumantha Rao, Deputy Director, dt;024-06-2009.
4. Representation received from B.L.Hanumantha Rao, Deputy Director, dt:10-07-2009 & 16-08-2009.
5. Govt.Memo.No.471/VC.II.2/2010-1 of Health, Medical & Family Welfare (VC.II) Departemnt,dt:06-02-2010.
6. DTA Lr.No.K (II) 8/11280/2009,dt:16-10-2010 along with proforma particulars of Sri B.L.Hanumantha Rao, Deputy Director.
7. Govt. Lr.No.1714/270/A2/Admn.I.vig/2009, dt.25-10-2010 addressed to APPSC.
8. Secretary APPSC Lr.No.1579/RT-I/3/2010, dt. 22-11-2010.

ORDER:

In the G.O. 1st read above orders were issued imposing a punishment of withholding of two annual grade increments with cumulative effect besides recovery of loss of Rs.89,422/- from Sri B.L.Hanumantha Rao, formerly Accounts Officer, IPP, O/o Director of Family Welfare, Hyderabad at present working as Senior Manager, INCAP under A.P.C.S. (CC&A) Rules, 1991 while functioning as Accounts Officer he has negligently preferred the claim of Rs.7,45,185/- in favor of M/s Jyothi Surgicals, Visakhapatnam without verifying whether the invoices of M/s Jyothi Surgicals, Visakhapatnam contain APGST Number or not and the APGST percentage claimed by that company was in accordance with rules or not and caused financial loss to the Government exchequer to a tune of Rs.89,422/- (Rs.7,45,185 x 12% = Rs.89,422/-) and thereby contravened rule 3 of A.P.C.S (Conduct) Rules,1964 while he was working as the Accounts Officer, Indian Population Project-VI,O/o the Directorate of Family Welfare,A.P.Hyderabad from 01-08-1992 to 12-04-1994.

2. Aggrieved with the above orders, Sri B.L.Hanumantha Rao, Deputy Director filed an O.A.No. 929 of 2006 before Hon'ble A.P. Administrative Tribunal. The Hon'ble APAT in its order dt: 24-06-2009 observed that: there is

(1) inordinate delay in concluding the disciplinary proceedings (2) discrimination against the applicant as all the remaining Charged Officers who pertains to the HM&FW Department. Hence, the APAT set aside the final orders of the Government and remitted back the matter to the

Disciplinary Authority for passing fresh orders by considering all objections raised by the applicant in his application to the show cause notice with in a period of four weeks.

3. Accordingly, Government reviewed the case with reference to the orders of Hon'ble APAT duly considering the points raised by the charged officer and also observed **that the Charged Officer worked on deputation basis O/o the Director of Family Welfare, Hyderabad from 01-08-1992 to 12-04-1994.** The borrowing Department initiated departmental proceedings against him vide Memo. Dt.6-12-1999. **Thus there was delay in initiating departmental proceedings against the Charged Officer.** The Commissioner of Enquiries, Sri R.C.Samal, I.A.S. has conducted common enquiry in this case and proved the charge against Charged Officer, Sri B.L.Hanumantha Rao, the then Accounts officer of Treasuries and Accounts Department while exonerating remaining Charged Officers pertaining to HM & FW Department viz. (1) *Dr.M.Innaiah, formerly Director of Family Welfare* (2) *Dr. T. Babu Rao, formerly Director of Health* (3) *Dr.D.Venkatesam, the then Regional Joint Director of medical and Health Sciences, Visakhapatnam*, (4) *A.Surya Bhaskar Rao, who worked as Senior Assistant at that time in the office of the Director of Family Welfare and dealt with the file and* (5) *P.Srinivasa Rao, another Senior Assistant in the same office, who succeeded Mr.Surya Bhaskar Rao and* (6) *T.Shyam Rao, a senior Assistant working in the Accounts Section in the office of the Director of Family Welfare.* **The Health, Medical and Family Welfare Department, in G.O.Rt.No.1919, dt:12-12-1999, dropped the proceedings against one Dr.M.Innaiah, formerly Director of Family Welfare against whom the charges were framed that he failed to keep watch on expenditure on Non-RC items as a programme officer and deliberately avoided suggesting purchase of Phenyle from APSSIDC and he has connived with M/s Jyoti Surgicals, Vizag, and failed to verify whether the said firm is registered with Commercial Tax Department or not and excess payment was effected when the original RC firm was defunct. Thus it is clear that there was discrimination against the Charged Officer.**

4. Government after careful examination the matter came to a provisional conclusion that there is no malafide that can be attributed or proved against the Charged Officer and hence provisionally decided for withdrawing the punishment of stoppage of two annual grade increments with cumulative effect besides recovery of loss of Rs.89,422/- and to recover the loss from M/s. Jyothi Surgicals and referred the matter to the Andhra Pradesh Public Service Commission, Hyderabad for their concurrence vide reference 7th read above.

5. The A.P. Public Service Commission, Hyderabad in their letter 8th read above, have concurred with the proposal of the Government to withdraw the punishment of stoppage of two annual grade increments with cumulative effect, besides recovery of loss of Rs.89,422/- earlier imposed against Sri B.L.Hanumantha Rao, formerly Accounts Officer, IPP, O/o Director of Family Welfare, Hyderabad at present Deputy Director working as Senior Manager, INCAP and to exonerate him accordingly.

6. Government accordingly, hereby withdraw the punishment imposed on him i.e. withholding of two annual grade increments with cumulative effect besides recovery of loss of Rs.89,422/- and exonerate him.

7. The H.M. & FW Department, is requested to recoup the loss of Rs.89,422/- from M/s Jyothi Surgicals, Visakhapatnam by invoking Revenue Recovery Act in consultation with the Commercial Taxes Department.

8. The Director of Treasuries and Accounts, Hyderabad shall take necessary further action in the matter accordingly.

9. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO
GOVERNMENT (FP)**

To

The individual through Director of Treasuries and Accounts, AP, Hyderabad.

The Director of Treasuries and Accounts, AP, Hyderabad.

Copy to:

The Secretary, Medical & Health Department.

The Director, Medical & Health Department.

The Secretary, A.P. Public Service Commission, AP, Hyderabad.

The Secretary, A.P, Vigilance Commission, Secretariat, Hyderabad.
SF/SC.

:: FORWARDED BY ORDER::

OFFICER

SECTION